

**ANNEXATION  
FORMATION OF BRANCH CAMPUS  
OR  
CREATION OF PUBLIC COMMUNITY COLLEGE DISTRICT**

Texas Higher Education Coordinating Board  
Academic Affairs and Research Division

This information is provided for individuals in local communities who are interested in establishing a community college presence in their community. Staff of the Coordinating Board's Academic Affairs and Research Division are available to answer questions or to meet with interested members of a community.

Texas statutes describe three methods to establish a community college presence, as follows:

- annexation to an existing community college district;
- creation of a branch campus of an existing community college district, with or without a branch campus maintenance tax; or
- creation of a community college district.

**1. *Annexation to Existing Community College District***

- No involvement of the Coordinating Board
- Can be accomplished in one of two ways:
  - a. by contract between jurisdiction and governing board of existing community college district, or
  - b. by election by the jurisdiction wishing to annex to existing community college district
- See Texas Education Code, Section §130.063 and following (<http://www.capitol.state.tx.us/statutes/edtoc.html>)
- Contact the President's Office of the community college district for further information

**2. *Formation of a Branch Campus to Existing Community College District***

- Requires Coordinating Board approval — see Texas Administrative Code, Title 19, Part 1, Chapter 8, Subchapter D (<http://www.sos.state.tx.us/tac/index.html>)
- Requires the formation of a local Steering Committee with the following characteristics:
  - a. 7 or 8 community leaders
  - b. cross section of community
  - c. appointment or election of chair/co-chair and secretary
- Joint Letter of Intent from Steering Committee and community college district must be filed with the Commissioner
- Feasibility or self study is to be conducted by the Steering Committee in conjunction with the community college district – elements specified in TAC §8.74
- CB staff preparation for Coordinating Board action includes the following activities:
  - a. feasibility or self study evaluation
  - b. public hearings, if necessary
  - c. Board staff recommendations to the Commissioner
- Coordinating Board action will be taken at the next scheduled quarterly Board meeting except in cases where a Branch Campus Maintenance Tax election must be approved (see section that follows). A letter is sent from the Commissioner on behalf of the Board informing the steering committee chair and community college

district officials of the Board's action.

- If a jurisdiction (ISD, joint ISDs, county, joint counties) wishes to create a Branch Campus Maintenance Tax (BCMT) jurisdiction to support a branch campus, a request to the Coordinating Board for approval of the BCMT must be submitted for consideration at the quarterly Board meeting. **[NOTE:** Approval of BCMT election and a branch campus may be addressed in the same Letter of Intent and feasibility study, but action by the Board is taken at two separate Board meetings – one for the election and one for the branch campus.] If the jurisdiction wishing to levy a Branch Campus Maintenance Tax is a county with a population of less than or equal to 150,000 or an ISD within such a county, no petition must be submitted to and approved by the Coordinating Board. For other jurisdictions or a county with a population of more than 150,000, the process for Board approval of the BCMT election is as follows:
- Feasibility or self study is to be conducted by the Steering Committee in conjunction with the community college district – elements specified in TAC §8.74.
- If the jurisdiction is a county with a population greater than 150,000, or an ISD, joint-ISD, or joint-county, a certified petition of no less than five (5) percent of registered votes must be submitted to CB with supporting documentation as requested by Board staff.
- Generally, the CB must be given 45 days from time the certified petition and supporting documents are provided to CB and the next scheduled Board meeting for staff preparation. Board staff preparation includes the following activities:
  - a. feasibility or self study evaluation
  - b. public hearings, if necessary
  - c. Board staff recommendations to the Commissioner.
- Coordinating Board action will be taken at the next scheduled quarterly Board meeting. A letter is sent from the Commissioner on behalf of the Board informing the steering committee chair and community college district officials of the Board's action.
- An election is conducted on the next appropriate election date as specified in the Texas Election Code (<http://www.capitol.state.tx.us/statutes/el.toc.htm>) and notice sent to the Commissioner of its results as soon as possible.
- Branch campus approval may be requested without the levy of a Branch Campus Maintenance Tax, but the community must demonstrate appropriate financial support of the operation and maintenance of the branch campus is available – must be done in conjunction with the community college district with which the branch campus would be affiliated.
- See Texas Education Code, Section 130.086 and 130.087 (<http://www.capitol.state.tx.us/statutes/edtoc.html>)
- Contact the Assistant Commissioner, Academic Affairs and Research Division, for further information

### **3. *Creation of a Community College District***

- Requires Coordinating Board approval — see Texas Administrative Code, Title 19, Part 1, Chapter 8, Subchapter B (<http://www.sos.state.tx.us/tac/index.html>)
- Requires the formation of a local Steering Committee with the following characteristics:
  - a. 7 or 8 community leaders
  - b. cross section of community
  - c. appointment or election of chair/co-chair and secretary

- If jurisdiction (ISD, joint ISDs, county, joint counties) having minimum of **15,000 scholastics in K-12** and at least **\$2.5 billion assessed valuation** wishes to create its own community college district, a petition must to be prepared by the Steering Committee
- Letter of Intent from Steering Committee must be filed with the Commissioner.
- Feasibility or self study is to be conducted by the Steering Committee – elements specified in TAC §8.28 and §8.32.
- Certified petition of no less than 10 percent of registered votes must be submitted to CB with supporting documentation as requested by Board staff.
- Generally, the CB must be given 90 days from time the certified petition and supporting documents are provided to CB and the next scheduled Board meeting for staff preparation. Board staff preparation includes the following activities:
  - a. feasibility or self study evaluation
  - b. public hearings, if necessary
  - c. Board staff recommendations to the Commissioner.
- Coordinating Board action will be taken at the next scheduled quarterly Board meeting. A letter is sent from the Commissioner on behalf of the Board informing the steering committee chair and community college district officials of the Board's action.
- An election is conducted on the next appropriate election date as specified in the Texas Election Code (<http://www.capitol.state.tx.us/statutes/el.toc.htm>) and notice sent to the Commissioner of its results as soon as possible.
- See Texas Education Code, Section 130.011 and following (<http://www.capitol.state.tx.us/statutes/edtoc.html>)
- Contact the Assistant Commissioner, Academic Affairs and Research Division, for further information